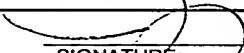


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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 15115/147001
INTERNATIONAL APPLICATION NO. PCT/JP03/08188	INTERNATIONAL FILING DATE 27 June 2003	PRIORITY DATE CLAIMED 12 July 2002
TITLE OF INVENTION VARIABLE OPTICAL ATTENUATOR		
APPLICANT(S) FOR DO/EO/US Kiyoshi Imai et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). - UNSIGNED</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>		
Items 11 to 20 below concern document(s) or information included:		
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard; International Search Report; Form PCT/IB/308</p>		

2251
PATENT TRADEMARK OFFICE

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U.S. APPLICATION NO. (if known) see 37 CFR 1.12		INTERNATIONAL APPLICATION NO. PCT/JP03/08188		ATTORNEY'S DOCKET NUMBER 15115/147001					
21. The following fees are submitted:									
<input checked="" type="checkbox"/> a) Basic national fee		\$300.00							
<input checked="" type="checkbox"/> b) Examination fee		\$200.00							
<input checked="" type="checkbox"/> c) Search fee		\$500.00							
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 1,000.00					
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE					
131 - 100 =	31 /50 =	1		x \$250.00					
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).									
CLAIMS NUMBER FILED NUMBER EXTRA RATE									
Total claims		9 - 20 =	x	\$ 0.00					
Independent claims		1 - 3 =	x	\$ 0.00					
MULTIPLE DEPENDENT CLAIM(s) (if applicable)									
TOTAL OF ABOVE CALCULATIONS =				\$ 1,250.00					
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.									
SUBTOTAL = \$ 1,250.00									
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).									
TOTAL NATIONAL FEE = \$ 1,250.00									
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property									
TOTAL FEES ENCLOSED = \$ 1,250.00									
<table border="1"> <tr> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>						Amount to be refunded:	\$	Amount to be charged:	\$
Amount to be refunded:	\$								
Amount to be charged:	\$								
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0591. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>									
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.									
SEND ALL CORRESPONDENCE TO:									
SIGNATURE: 									
Jonathan P. Osha									
NAME									
CUSTOMER NUMBER: 22511									
33,986									
REGISTRATION NUMBER									

U/519762

DT12 Rec'd PCT/PTO 29 DEC 2004

PTO/SB/17 (12-04)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		Complete if Known	
FEE TRANSMITTAL For FY 2005		Application Number	Not Yet Assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	Concurrently Herewith
TOTAL AMOUNT OF PAYMENT (\$ 1,250.00)		First Named Inventor	Kiyoshi Imai
		Examiner Name	Not Yet Assigned
		Art Unit	N/A
		Attorney Docket No.	15115/147001

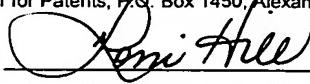
METHOD OF PAYMENT (check all that apply)					
<input type="checkbox"/> Check	<input checked="" type="checkbox"/> Credit Card	<input type="checkbox"/> Money Order	<input type="checkbox"/> None	<input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account		Deposit Account Number: 50-0591		Deposit Account Name: Osha & May L.L.P.	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)					
<input type="checkbox"/> Charge fee(s) indicated below		<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee			
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17		<input checked="" type="checkbox"/> Credit any overpayments			

FEE CALCULATION						
1. BASIC FILING, SEARCH, AND EXAMINATION FEES						
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0
2. EXCESS CLAIM FEES						
Fee Description						
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent						50 25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent						200 100
Multiple dependent claims						360 180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
9	- 20 =	x	=	Fee (\$)	Fee Paid (\$)	
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
1	- 3 =	x	=			
3. APPLICATION SIZE FEE						
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).						
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)		
131	- 100 =	31 /50 1 (round up to a whole number) x	=			
4. OTHER FEE(S)						
Non-English Specification, \$130 fee (no small entity discount)						
Other:	1631 Basic National Stage fee 300.00					
	1632 National Stage search fee 500.00					
	1633 National Stage examination fee 200.00					
	1681 National Stage application size fee - for each additional 50 sheets ... 250.00					

SUBMITTED BY	
Signature	Registration No. (Attorney/Agent) 33,986
Name (Print/Type) Jonathan P. Osha	Telephone (713) 228-8600
Date December 29, 2004	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV576720482US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 29, 2004

Signature:  (Toni A. Hill)22511
PATENT TRADEMARK OFFICE

10/519762

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 15115/147001

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Date



Signature

Toni A. Hill

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (2 pages)

Return Receipt Postcard; International Search Report; Form PCT/IB/308

English language translation of the International application (76 pages)

9 total claims - 1 independent claim

Formal Drawings (55 sheets)

Oath or declaration of the inventor(s)

Information Disclosure Statement (6 references)

Second copy of published International Application

Transmittal Letter to the United States Designated-Elected Office

Payment by credit card. Form PTO-2038 is attached

Charge \$1,250.00 to credit card

10/519762

DT12 2d PCT/PTO 29 DEC 2004

Application No. (if known): Not Yet Assigned

Attorney Docket No.: 15115/147001

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Date


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Toni A. Hill

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Telephone Number

713-228-8600

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IDS (Citation) by Applicant (6 References) (1 page)

10/519762

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Attorney Docket No.: 15115/147001

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Date



Signature

Toni A. Hill

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Bilingual Declaration (Japanese/English) (4 pages)